

S.K.



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

CR

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/200,179	11/25/98	VIEGENER	W VIEGENER-2
------------	----------	----------	--------------

020151
HENRY M FEIEREISEN
350 FIFTH AVENUE
SUITE 3220
NEW YORK NY 10118

PM82/0802

EXAMINER

AROLA, D

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 08/02/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/200,179

Applicant(s)
W. Viegner

Examiner
Dave W. Arola

Group Art Unit
3627



☒ Responsive to communication(s) filed on Jul 13, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) 13-17 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-12 and 18-21 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3627

Claims 13-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 4. Claim 1 is not generic. It does not read on species III because the socket does not have the annular anchoring groove.

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 10 is rejected under 35 U. S. C. 101 as being direct to two different statutory classes of invention. A product (manufacture) and a tool(machine).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear if the joint or tool is being claimed

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3627

Claims 1-4, 6-9, 11 and 18-21 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Larsson.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson in view of Irwin. The patent Larsson discloses applicant's joint with the exception of the receiving groove having a conical base and the holding element having a matching shape. The patent to Irwin teaches this concept and with such a teaching it would have been obvious to a person having ordinary skill in the art to provide the joint of Larsson with such for the obvious advantage of the holding element engaging the inserted pipe in one area.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson in view of Crickmer. The patent to Larsson discloses applicant's joint with the exception of the holding ring engaging the pipe adjacent the sealing ring and the other side of the holding ring being conical. The patent to Crickmer teaches such and with this teaching it would have been obvious to a person having ordinary skill in the art to provide the holding ring of Larsson with this shape for the obvious advantage of engaging the inserted pipe in one area.

The patents are cited to show joint means.

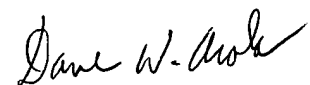
Art Unit: 3627

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Arola whose telephone number is (703) 308-2206. The examiner can normally be reached on Monday through Thursday from 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Anne Dayoan, can be reached on (703) 308-3865. The fax phone number for this technology center is (703) 305-3597.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 308-2168.

Arola
July 27, 2000


Dave W. Arola
Primary Examiner
Art Unit 3627